

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:22-cv-293-JRG
)	
SAMSUNG ELECTRONICS CO, LTD;)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA,)	
INC.; SAMSUNG SEMICONDUCTOR)	
INC.,)	
)	
Defendants.)	

JOINT NOTICE OF PENDING MOTIONS

Pursuant to the Court’s Order, Dkt. 678, the Plaintiff Netlist, Inc. (“Netlist”) and Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor Inc. respectfully submit the following list of pending motions in the above-captioned case.

	Dkt.	Motion Description
1.	273	Netlist’s Motion for Summary Judgment on Samsung’s License Defense
2.	285	Samsung’s Renewed Motion To Stay Pending IPR or in the Alternative To Set a New Trial Date
3.	337	Samsung’s Motion for Partial Summary Judgment that All Accused Products are Covered by Netlist’s License to Samsung in The Parties’ 2015 JDLA
4.	338	Samsung’s Motion for Summary Judgment of No Pre-Suit Damages
5.	341	Samsung’s Motion for Summary Judgment of No Willfulness
6.	342	Netlist’s Motion for Summary Judgment Dismissing Samsung’s Affirmative Defense of Laches, Estoppel, and/or Waiver
7.	343	Netlist’s Motion Partial for Summary Judgment on Samsung’s Invalidity Defenses
8.	346	Samsung’s <i>Daubert</i> Motion and Motion To Strike Expert Testimony of David Kennedy
9.	350	Samsung’s <i>Daubert</i> Motion and Motion To Strike Expert Testimony of Dr. William Henry Mangione-Smith
10.	353	Samsung’s Motion for Partial Summary Judgment Noninfringement Concerning the ’912 Patent
11.	355	Netlist’s Motion To Strike Portions of the Rebuttal Expert Report of Lauren Kindler

	Dkt.	Motion Description
12.	356	Netlist's Motion for Summary Judgment that the Asserted Patents Are Not Standard Essential (Samsung Case No. 2:22-CV-293)
13.	358	Netlist's Motion To Strike Certain Opinions of Defendants' Expert John B. Halbert ¹
14.	359	Netlist's Motion To Strike Certain Opinions of Samsung Defendants' Expert Mr. Joseph McAlexander
15.	374	Samsung's Motion To Preclude Evidence Regarding the Alleged Essentiality of the Asserted Patents
16.	383	Samsung's Corrected Motion To Bifurcate Liability Issues from License Defense, Damages, and Willfulness Issues
17.	611	Netlist's Additional Motions <i>in Limine</i> (Samsung Case No. 2:22-CV-293)
18.	612	Samsung's Omnibus Motion in <i>Limine</i>
19.	668	Joint Motion for Leave Regarding Netlist and Samsung's Supplemental Expert Reports and Netlist's Supplemental Motion To Strike (Samsung Case No. 2:22-CV-293)
20.	669	Netlist's Motion To Strike Supplemental Rebuttal Expert Report of Lauren Kindler
21.	680	Joint Motion to Amend Docket Control Order

Netlist previously filed a Notice of Withdrawal of Dkts. 347, 349, 352, 357, and 365. Dkt. 670. Netlist further withdraws Dkt. 363 (Netlist's Motion to Strike Certain Opinions of Dr. Perryman). Samsung hereby withdraws the following motions: Dkt. 348 (Motion To Strike Expert Testimony of Dr. Andreas Groehn);² Dkt. 351 (Motion To Strike Expert Testimony of Mr. Peter Gillingham); Dkt. 375 (Motion To Enforce the Protective Order).

¹ Although Netlist's Motion To Strike Certain Opinions of Defendants' Expert John B. Halbert involves both Samsung and Micron, Samsung respectfully submits that the motion should be decided separately in this case and in *Netlist, Inc. v. Micron Technology, Inc. et al.* case (2:22-cv-294-JRG), because there are issues specific to Samsung on which Samsung should have an opportunity to be heard independently.

² Samsung: Although Samsung withdraws this motion, Samsung does not withdraw its argument that Dr. Groehn's hedonic regression is improper because it fails to identify the incremental value of the asserted patents. This argument is set forth in Samsung's motion to strike Mr. Kennedy's report, which Samsung has not withdrawn. Dkt. 346.

Netlist: Samsung cannot preserve the substantive arguments of its withdrawn motion. By dropping its motion to strike the opinions of Dr. Groehn, Samsung has waived any challenge as to the hedonic regression conducted by Dr. Groehn. To the extent the Court finds that Samsung can still raise such arguments, including in its motion to strike Mr. Kennedy's opinions, Netlist respectfully asks the court to hear the parties' arguments on Samsung's Motion to Strike Expert Testimony of Dr. Andreas Groehn, Dkt. 348, as a live motion.

Dated: March 4, 2024

Respectfully submitted,

/s/ Jason G. Sheasby

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CERTIFICATE OF SERVICE

I hereby certify that, on March 4, 2024, a copy of the foregoing was served to all counsel of record.

/s/ Yanan Zhao
Yanan Zhao